

A.

THE FOLLOWING RESOLUTION WAS OFFERED BY  
COUNCILMAN \_\_\_\_\_, WHO MOVED ITS ADOPTION,  
SECONDED BY COUNCILMAN \_\_\_\_\_

WHEREAS, the Town Board together with representatives of the Town of Amherst, Town of Clarence, Village of Akron, Village of Williamsville, Clarence Fire District #1, Eggertsville Fire District and Snyder Fire District have been negotiating a proposed new agreement with Twin City Ambulance and the Town Board together with the other listed entities has received a proposal for Pre-Hospital Emergency Medical Services from the Twin City Ambulance for a term of three years commencing on January 1, 2018 and terminating on December 31, 2020 with the option to extend for an additional two year; and

WHEREAS, pursuant to §184 of the Town Law, a public hearing is required prior to entering into a contract on behalf of a Fire Protection District.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN BOARD OF THE TOWN OF NEWSTEAD AS FOLLOWS:

1. That a hearing be held before the Town Board of the Town of Newstead, in the County of Erie at the Town Hall, 5 Clarence Center Road, Akron, New York at 7:30 p.m. on the 11<sup>TH</sup> day of December, 2017, for the purpose of hearing all persons interested in the proposed contract with Twin City Ambulance for Pre-Hospital Emergency Medical Services.
2. That the Town Clerk is directed to (a) publish a notice of public hearing in the Akron Bugle, designated as the official newspaper for this publication, such publication to be not less than ten days before the date of the public hearing; and post as required by law one copy of the Notice of Public Hearing no later than the day such Notice is published
3. That the Town Clerk is to make copies of the proposed contract available at her office for inspection and distribution to any interested person during business hours.
4. This resolution shall take effect immediately

The above resolution was duly adopted at a regular meeting of the Town Board held on the 27th day of November, 2017, the results of which were as follows:

Councilman Dugan	_____
Councilman Burke	_____
Councilman Jendrowski	_____
Councilwoman Morlacci	_____
Supervisor Cummings	_____

LEGAL NOTICE  
NOTICE OF PUBLIC HEARING  
TOWN OF NEWSTEAD, NEW YORK

PLEASE TAKE NOTICE, that there has been presented to the Town Board on November 27, 2017, for adoption a proposed new agreement with Twin City Ambulance and the Town Board together with other listed entities has received a proposal for Pre-Hospital Emergency Medical Services from the Twin City Ambulance for a term of three years commencing on January 1, 2018 and terminating on December 31, 2020 with the option to extend for an additional two years;

THEREFORE, pursuant to §184 of the Town Law, a public hearing is required prior to entering into a contract on behalf of a Fire Protection District, the Town Board of the Town of Newstead shall hold a Public Hearing on the aforesaid proposal at the Town Hall, 5 Clarence Center Road, Akron, New York at 7:30 p.m. on the 11th day of December, 2017, at which time persons interested may be heard. Copies of the aforesaid proposed contract are available at the office of the Town Clerk for inspection and distribution to any interested person during business hours. The meeting room is wheel chair accessible. Those needing special arrangements should call the Town Hall at 542-4573 by December 6, 2017.

Dated: November 27, 2017

BY ORDER OF THE TOWN BOARD  
OF THE TOWN OF NEWSTEAD

B.

Town of Newstead  
**Public Hearing**  
**Site Plan**  
**Newstead Properties, LLC (MGA Research)**  
**13311 Main Road**

THE FOLLOWING RESOLUTION WAS OFFERED BY  
COUNCILMAN \_\_\_\_\_, WHO MOVED ITS ADOPTION  
SECONDED BY COUNCILMAN \_\_\_\_\_

WHEREAS Newstead Properties, LLC (MGA Research) has applied for site plan approval for construction of a 40,800 sq. ft. testing facility and offices with site improvements on a 64.7-acre parcel in the I-1 zoning district at 13311 Main Road in the Town of Newstead, and

WHEREAS the Town of Newstead is the most local agency with permitting authority, and

WHEREAS on October 30, 2017 the Planning Board reviewed the project and recommended approval to the Town Board;

NOW THEREFORE BE IT RESOLVED

That according to Newstead Town Code section 450-85 (D) (2) the Town Board will hold a public hearing within 62 days of receipt of the Planning Board's recommendation, and such public hearing is scheduled to take place on December 11, 2017 at 7:35PM to hear comments for or against the proposed site plan.

The above resolution was duly put to a roll call vote on November 27, 2017 the results of which were as follows:

Supervisor Cummings	_____
Councilman Dugan	_____
Councilman Burke	_____
Councilman Jendrowski	_____
Councilwoman Morlacci	_____

**LEGAL NOTICE**  
**NOTICE OF PUBLIC HEARING**  
**TOWN OF NEWSTEAD, NEW YORK**

PLEASE TAKE NOTICE, that a public hearing of the Town Board will be held at Newstead Town Hall, 5 Clarence Center Road in the Village of Akron, New York at 7:35PM on the 11<sup>th</sup> day of December, 2017 to consider the following:

**Site plan application for construction of a 40,800 sq. ft. testing facility and offices with site improvements at 13311 Main Road on a 64.7-acre parcel in the I-1 zoning district, owned by Newstead Properties, LLC (MGA Research) in the Town of Newstead.**

The site plan is on file in the Building Department at the Newstead Town Hall and is open for inspection to any interested person during business hours.

The hearing is open to the public. Interested individuals are invited to attend and may submit written comments in advance of the public hearing. The meeting room is wheelchair accessible. Those needing special arrangements should call the Town Clerk at 542-4573 five days in advance of the hearing date.

Dated: November 27, 2017

BY ORDER OF THE TOWN BOARD  
OF THE TOWN OF NEWSTEAD

C-

THE FOLLOWING RESOLUTION WAS OFFERED BY  
COUNCILMAN \_\_\_\_\_, WHO MOVED ITS ADOPTION,  
SECONDED BY COUNCILMAN \_\_\_\_\_, TO WIT:

WHEREAS, the State of New York previously approved tax cap legislation limiting local tax increases to the lesser of 2% or the actual increase based upon the Consumer Price Index of U.S. urban areas over two consecutive 12 month periods; and

WHEREAS, the Town Board has adopted legislation each year to override the tax cap but has never exceeded the tax cap; and

WHEREAS, in 2017, the Town Board approved Local Law No. 6 of the Year 2017 to allow the Town to override the tax cap for 2018 which was established at 1.84% and did not exceed the 1.84% tax cap with the adoption of the 2018 budget; and

WHEREAS, the Town Board has now been advised that even though it did not exceed the tax cap with the 2018 budget, the Town would not be considered to be tax freeze compliant unless it repeals Local Law No. 6 of the Year 2017; and

WHEREAS, the Town Board would like to have the Town of Newstead to be considered tax freeze compliant so as to make the property owners eligible to receive real property tax freeze credits from the State of New York

WHEREAS, the Town Board has determined that the proposed action is a Type II action under the State Environmental Quality Review Act and no further action is required with respect to SEQRA; and

WHEREAS, Councilman \_\_\_\_\_ introduced the following proposed "Local Law No. 7 of the Year 2017", entitled "Local Law to Repeal Local Law No. 6 of the Year 2017" and presented a copy to each member of the Board which reads as follows:

A Local Law known as Local Law No. 7 of the Year 2017 entitled "Local Law to Repeal Local Law No. 6 of the Year 2017".

Be in enacted by the Town Board of the Town of Newstead as follows:

#### **SECTION 1. TITLE**

This Law shall be known as Local Law No. 7 of the Year 2017 entitled "Local Law to Repeal Local Law No. 6 of the Year 2017 ".

#### **SECTION 2. PURPOSE**

The Town Board previously adopted Local Law No. 6 of the Year 2017 to allow the Town of Newstead to override the limits in real property taxes imposed by General Municipal Law § 3-c because the Town Board was concerned about the penalties imposed if the Town exceeded the tax cap without adopting the override local law. The Town was able to adopt a budget that did not exceed the tax cap imposed by General Municipal Law § 3-c. The Town has now been advised that even though it did not exceed the tax cap, pursuant to General Municipal Law § 3-d. 2 (a) in order for the residents of the Town to receive real property tax freeze credits under the new program enacted by the State of New York, it is necessary for the Town to repeal Local Law No. 6 of the Year 2017. This local law is specifically intended to repeal Local Law No. 6 of the Year 2017.

#### **SECTION 3. AUTHORITY**

This local law is adopted pursuant to the Municipal Home Rule Law.

#### **SECTION 4. REPEAL OF LOCAL LAW NO. 6 OF THE YEAR 2017**

Local Law No. 6 of the Year 2017 adopted by the Town of Newstead on September 25, 2017 and effective on October 5, 2017 is hereby REPEALED in its entirety.

#### **SECTION 5. SEVERABILITY**

If any section, subsection phrase, sentence or other portion of this local law is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision and such holding shall not affect the validity of the remaining portions hereof.

#### **SECTION 6. EFFECTIVE DATE**

This local law shall take effect immediately upon filing with the Secretary of State.



NOW, THEREFORE, IT IS HEREBY ORDERED AS FOLLOWS;

A hearing before the Town Board of the Town of Newstead, in the County of Erie shall be held at the Town Hall, 5 Clarence Center Road, Akron, New York at 7:40 p.m. on the 11th day of December, 2017, for the purpose of hearing all persons interested in the proposed Local Law No. 7 of the Year 2017; and

BE, IT FURTHER

ORDERED, that the Town Clerk is directed to (a) publish a notice of public hearing in the Akron Bugle, designated as the official newspaper for this publication, such publication to be not less than five days before the date of the public hearing; and post as required by law one copy of the Notice of Public Hearing no later than the day such Notice is published and (b) notify by mail all parties of interest pursuant to the General Municipal Law and the Town Law of the Public Hearing, not less than five days before the date of the Public Hearing; and

BE, IT FURTHER

ORDERED, that the Town Clerk is to make copies of the proposed Local Law No. 7 of the Year 2017, entitled "Local Law to Repeal Local Law No. 6 of the Year 2017 ", available at her office for inspection and distribution to any interested person during business hours.

The question of the adoption of the foregoing order was duly put to a vote on roll call, which resulted as follows:

Councilman	Dugan	Voted _____
Councilman	Burke	Voted _____
Councilman	Jendrowski	Voted _____
Councilwoman	Morlacci	Voted _____
Supervisor	Cummings	Voted _____

LEGAL NOTICE  
NOTICE OF PUBLIC HEARING  
TOWN OF NEWSTEAD, NEW YORK

PLEASE TAKE NOTICE, that there has been presented to the Town Board on November 27, 2017, for adoption a proposed Local Law to be known as "Local Law No. 7 of the Year 2017" entitled "Local Law to Repeal Local Law No. 6 of the Year 2017 ". The proposed Local Law will repeal Local Law No. 6 of the Year 2017 to allow residents of the Town of Newstead to be eligible to real property tax freeze credits from the State of New York.

THEREFORE, pursuant to the Municipal Home Rule Law Rules and Local Law No. 7 of the Year 2017, the Town Board of the Town of Newstead shall hold a Public Hearing on the aforesaid Local Law at the Town Hall, 5 Clarence Center Road, Akron, New York at 7:40 p.m. on the 11th day of December, 2017, at which time persons interested may be heard. Copies of the aforesaid proposed Local Law are available at the office of the Town Clerk for inspection and distribution to any interested person during business hours. The meeting room is wheel chair accessible. Those needing special arrangements should call the Town Hall at 542-4573 by December 6, 2017.

Dated: November 27, 2017

BY ORDER OF THE TOWN BOARD  
OF THE TOWN OF NEWSTEAD



D.

THE FOLLOWING RESOLUTION WAS OFFERED BY  
COUNCILMAN \_\_\_\_\_, WHO MOVED ITS ADOPTION,  
SECONDED BY COUNCILMAN \_\_\_\_\_, TO WIT:

WHEREAS, the State of New York by Chapter 6 of the 2007 Laws of the State of New York adopted Section 458-b of the Real Property Tax Law allowing local counties, cities, towns and villages by local law to provide a real estate exemption for Cold War Veterans who were described as a person, male or female, who served on active duty in the United States armed forces, during the period from September second, nineteen hundred forty-five to December twenty-sixth, nineteen hundred ninety-one, and was discharged or released there from under honorable conditions, which law allowed for exemptions only for a period of 10 years; and

WHEREAS, the Town Board of the Town of Newstead determined that it was in the best interest of the Town of Newstead to provide such exemptions for Cold War Veterans residing in the Town of Newstead and adopted "Local Law No. 5 of the Year 2008," entitled "Code War Veterans Law of the Town of Newstead", which law provided for an exemption for Cold War Veterans, but which exemption was limited to 10 years and which law was codified as Article VI §367-12 through §367-15 of the Code of the Town of Newstead; and

WHEREAS, the State of New York has recently enacted an amendment to Section 458-b of the Real Property Tax Law to allow for the extension of the veterans exemption beyond the 10 year period as set forth in the original law; and

WHEREAS, the Town Board believes it is in the best interest to extend the Cold War Veterans exemption beyond the 10 year period

WHEREAS, Councilman \_\_\_\_\_ introduced the following proposed "Local Law No. 8 of the Year 2017", entitled "Amendment Cold War Veterans Law of the Town of Newstead" and presented a copy to each member of the Board which reads as follows:

A Local Law known as Local Law No. 8 of the Year 2017 entitled "Amendment to the Cold War Veterans Law of the Town of Newstead".

Be it enacted by the Town Board of the Town of Newstead as follows:

#### SECTION 1. TITLE

This Law shall be known as Local Law No. 8 of the Year 2017 entitled "Amendment to Cold War Veterans Law of the Town of Newstead".

#### SECTION 2. PURPOSE

The purpose of this local law is to amend Chapter 367-15 of the Code of the Town of Newstead to extend the term of the real property tax exemption previously granted to qualified Cold War Veterans in the Town of Newstead beyond the ten year period originally authorized to allow it to continue as long as they remain qualifying owners of qualifying real property.

#### SECTION 3. Statutory Authority.

This local law is adopted pursuant to the authority of Section 458-b of the New York State Real Property Tax Law. All definitions, procedures, terms and conditions of such statute shall apply to this local law.

#### SECTION 4. §367-15 C. of the Code of the Town of Newstead is amended to read as follows

C. The exemption authorized by this §367-15A of this article shall apply to qualifying owners of qualifying real property for as long as they remain qualifying owners.

#### SECTION 5. SEVERABILITY

If any portion, subsection, sentence, clause, phrase or portion thereof of this local law shall for any reason held to be invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision, and such holding shall not effect the validity of the remaining portions thereof.

#### SECTION 6. WHEN EFFECTIVE

This Local Law shall become effective immediately upon its filing in the office of the Secretary of State.

NOW, THEREFORE, IT IS HEREBY ORDERED AS FOLLOWS;

A hearing before the Town Board of the Town of Newstead, in the County of Erie shall be held at the Town Hall, 5 Clarence Center Road, Newstead, New York at 7:45 p.m. on the 11th day of December, 2017, for the purpose of hearing all persons interested in the proposed Local Law No. 8 of the Year 2017; and

BE, IT FURTHER

ORDERED, that the Town Clerk is directed to (a) publish a notice of public hearing the Akron Bugle, designated by the Town as its official newspapers for this publication, such publication to be not less than five days before the date of the public hearing; (b) post as required by law one copy of the Notice of Public Hearing no later than the day such Notice is published; and (c) notify by mail all parties of interest pursuant to the General Municipal Law and the Town Law of the Public Hearing, not less than five days before the date of the Public Hearing and notify County Planning as required under §239-m of the General Municipal Law; and

BE, IT FURTHER

ORDERED, that the Town Clerk is to make copies of the proposed "Local Law No. 8 of the Year 2008, entitled "Amendment to the Cold War Veterans Law of the Town of Newstead", available at her office for inspection and distribution to any interested person during business hours.

The question of the adoption of the foregoing order was duly put to a roll call vote at regular meeting of the Town Board on November 27, 2017, the results of which were as follows:

Councilman Dugan	Voted _____
Councilman Burke	Voted _____
Councilman Jendrowski	Voted _____
Councilwoman Morlacci	Voted _____
Supervisor Cummings	Voted _____

LEGAL NOTICE  
NOTICE OF PUBLIC HEARING  
TOWN OF NEWSTEAD, NEW YORK

PLEASE TAKE NOTICE, that there has been presented to the Town Board on November 27, 2017, for adoption a proposed Local Law to be known as "Local Law No. 8 of the Year 2017" entitled "Amendment to the Cold War Veterans Law of the Town of Newstead". The proposed Local Law will extend the exemption granted to Cold War Veterans previously granted for a 10 year period to an exemption extending as long as they remain qualifying owners of qualifying real property

THEREFORE, pursuant to the Municipal Home Law and Local Law No. 8 of the Year 2017 of the Town of Newstead, the Town Board of the Town of Newstead shall hold a Public Hearing on the aforesaid proposed Local Law at the Town Hall, 5 Clarence Center Road, Newstead, New York at 7:45 p.m. on the 11th day of December, 2017, at which time all persons interested may be heard. Copies of the aforesaid proposed Local Law are available at the office of the Town Clerk for inspection and distribution to any interested person during business hours. The meeting room is wheel chair accessible. Those needing special arrangements should call the Town Hall at 542-4573 by December 6, 2017.

Dated: November 27, 2017

BY ORDER OF THE TOWN BOARD  
OF THE TOWN OF NEWSTEAD

E,

THE FOLLOWING RESOLUTION WAS OFFERED BY  
COUNCILMAN \_\_\_\_\_, WHO MOVED ITS ADOPTION,  
SECONDED BY COUNCILMAN \_\_\_\_\_

WHEREAS, the Town Board is proposing to create the position of full time Code Enforcement Officer and has advertised for the position; and

WHEREAS, the Town Board has been advised that under the Public Officers Law such individual should be a resident of the Town but that the Town has the ability under the Municipal Home Rule Law to expand the eligibility for the position; and

WHEREAS, the Town Board has determined that it is in the best interest of the Town of Newstead to be able to look at a larger pool of applicants to get the best possible candidate to fill the position of Building Inspector; and

WHEREAS, the Town Board has determined that the proposed action is a Type II action under the State Environmental Quality Review Act and no further action is required with respect to SEQRA; and

WHEREAS, Councilman \_\_\_\_\_ introduced the following proposed "Local Law No. 9 of the Year 2017", entitled "Local Law Expanding the Residency Requirements for the Code Enforcement Officer of the Town of Newstead" and presented a copy to each member of the Board which reads as follows:

A Local Law known as "Local Law No. 9 of the Year 2017", entitled "Local Law Expanding the Residency Requirements for the Code Enforcement Officer of the Town of Newstead".

Be it enacted by the Town Board of the Town of Newstead as follows:

#### SECTION 1. TITLE

This Law shall be known as "Local Law No. 9 of the Year 2017", entitled "Local Law Expanding the Residency Requirements for the Code Enforcement Officer of the Town of Newstead".

#### SECTION 2. PURPOSE

The purpose of this local law is to expand the residency requirements for Code Enforcement Officer sometimes referred to as the Building Inspector of the Town of Newstead to include all of Erie County and all of the adjoining counties to allow the Town to select from a larger field of applicants for the position.

#### SECTION 3. STATUTORY AUTHORITY

This local law is adopted pursuant to the provisions of the Municipal Home Rule Law of the State of New York.

#### SECTION 4. §150-4. A. of the Code of the Town of Newstead is amended as follows:

The first paragraph under A. is amended to read as follows:

- A. The office of Code Enforcement Officer is hereby created. The Code Enforcement Officer shall administer and enforce all the provisions of the Uniform Code, the Energy Code, the Code of the Town of Newstead and this article. The residency requirement for the Code Enforcement Officer shall be expanded beyond the Town of Newstead to include all of Erie County and all of the adjoining counties. The Code Enforcement Officer shall have all of the following powers and duties:

The remaining provisions of A. shall remain the same.

#### SECTION 5. SEVERABILITY

If any portion, subsection, sentence, clause, phrase or portion thereof of this local law shall be for any reason be held to be invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision, and such holding shall not affect the validity of the remaining portions thereof.

#### SECTION 6. WHEN EFFECTIVE

This Local Law shall become effective immediately upon its filing in the office of the Secretary of State.



NOW, THEREFORE, IT IS HEREBY ORDERED AS FOLLOWS:

A hearing before the Town Board of the Town of Newstead, in the County of Erie shall be held at the Town Hall, 5 Clarence Center Road, Newstead, New York at 7:50 p.m. on the 11<sup>th</sup> day of December, 2017, for the purpose of hearing all persons interested in the proposed Local Law No. 9 of the Year 2017; and

BE, IT FURTHER

ORDERED, that the Town Clerk is directed to (a) publish a notice of public hearing in the Akron Bugle, designated by the Town as its official newspaper for this publication, such publication to be not less than five days before the date of the public hearing; (b) post as required by law one copy of the Notice of Public Hearing no later than the day such Notice is published; and (c) notify by mail all parties of interest pursuant to the General Municipal Law and the Town Law of the Public Hearing, not less than five days before the date of the Public Hearing.

BE, IT FURTHER

ORDERED, that the Town Clerk is to make copies of the proposed "Local Law No. 9 of the Year 2017", entitled "Local Law Expanding the Residency Requirements for the Code Enforcement Officer of the Town of Newstead" available at her office for inspection and distribution to any interested person during business hours.

The question of the adoption of the foregoing order was duly put to a roll call vote at a regular meeting of the Town Board on November 27, 2017, the results of which were as follows:

Councilman Dugan	Voted _____
Councilman Burke	Voted _____
Councilman Jendrowski	Voted _____
Councilwoman Morlacci	Voted _____
Supervisor Cummings	Voted _____

LEGAL NOTICE  
NOTICE OF PUBLIC HEARING  
TOWN OF NEWSTEAD, NEW YORK

PLEASE TAKE NOTICE, that there has been presented to the Town Board of the Town of Newstead on November 27, 2017, for adoption a proposed Local Law to be known as "Local Law No. 9 of the Year 2017", entitled "Local Law Expanding the Residency Requirements for the Code Enforcement Officer of the Town of Newstead". The proposed Local Law will expand the residency requirements for the Code Enforcement Officer also referred to as the Building Inspector to include the County of Erie and all adjoining counties to allow the Town to select from a larger pool of candidates for the position.

THEREFORE, pursuant to the Municipal Home Rule Law and Local Law No. 9 of the Year 2017 of the Town of Newstead, the Town Board of the Town of Newstead shall hold a Public Hearing on the aforesaid Local Law at the Town Hall, 5 Clarence Center Road, Newstead, New York at 7:50 p.m. on the 11th day of December, 2017, at which time all persons interested may be heard. Copies of the aforesaid proposed Local Law are available at the office of the Town Clerk for inspection and distribution to any interested person during business hours. The meeting room is wheel chair accessible. Those needing special arrangements should call the Town Hall at 542-4573 by December 6, 2017.

Dated: November 27, 2017

BY ORDER OF THE TOWN BOARD  
OF THE TOWN OF NEWSTEAD

F

THE FOLLOWING RESOLUTION WAS OFFERED BY  
COUNCILMAN \_\_\_\_\_, WHO MOVED ITS ADOPTION,  
SECONDED BY COUNCILMAN \_\_\_\_\_

WHEREAS, the Town Board previously eliminated the position of Town Attorney and established the position of Attorney for the Town because of concern that the Town had to appoint a resident attorney as Town Attorney if there were any resident attorneys; and

WHEREAS, the Town Board now has been advised that by local law it authorized to establish the position of Town Attorney and allow for the appointment of a non-resident attorney as Town Attorney; and

WHEREAS, the Town Board has determined that it is in the best interest of the Town of Newstead to reestablish the position of Town Attorney and to provide for the appointment of Deputy Town Attorneys and Town Prosecutors to allow the Town Attorney, Deputy Town Attorney and Town Prosecutors and to allow for the appointment of non-residents to be able to look at a larger pool of applicants to get the best possible candidate to fill the position of Town Attorney, Deputy Town Attorney and Town Prosecutor; and

WHEREAS, the Town Board has determined that the proposed action is a Type II action under the State Environmental Quality Review Act and no further action is required with respect to SEQRA; and

WHEREAS, Councilman \_\_\_\_\_ introduced the following proposed "Local Law No. 10 of the Year 2017", entitled "Local Law Establishing the Position of Town Attorney, Deputy Town Attorney and Town Prosecutor with Expanded Residency Requirements" and presented a copy to each member of the Board which reads as follows:

A Local Law known as "Local Law No. 10 of the Year 2017", entitled "Local Law Establishing the Position of Town Attorney, Deputy Town Attorney and Town Prosecutor with Expanded Residency Requirements".

Be it enacted by the Town Board of the Town of Newstead as follows:

#### SECTION 1. TITLE

This Law shall be known as "Local Law No. 10 of the Year 2017", entitled "Local Law Establishing the Position of Town Attorney, Deputy Town Attorney and Town Prosecutor with Expanded Residency Requirements".

#### SECTION 2. PURPOSE

The purpose of this local law is to establish the position of Town Attorney, Deputy Town Attorney and Town Prosecutor and expand the residency requirements for the Town Attorney, any Deputy Town Attorney and Town Prosecutor to include all of Erie County and all of the adjoining counties to allow the Town to select from a larger field of applicants for the positions.

#### SECTION 3. STATUTORY AUTHORITY

This local law is adopted pursuant to the provisions of the Municipal Home Rule Law of the State of New York.

#### SECTION 4. The Code of the Town of Newstead is amended to add the following provision.

Town Attorneys. The Town hereby establishes the position of Town Attorney, Deputy Town Attorney and Town Prosecutor and further determines that the residency requirement for each of those positions shall not be limited to the Town of Newstead but shall include all of Erie County and all of the adjoining counties.

#### SECTION 5. SEVERABILITY

If any portion, subsection, sentence, clause, phrase or portion thereof of this local law shall be for any reason be held to be invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision, and such holding shall not affect the validity of the remaining portions thereof.

#### SECTION 6. WHEN EFFECTIVE

This Local Law shall become effective immediately upon its filing in the office of the Secretary of State.

NOW, THEREFORE, IT IS HEREBY ORDERED AS FOLLOWS:

A hearing before the Town Board of the Town of Newstead, in the County of Erie shall be held at the Town Hall, 5 Clarence Center Road, Newstead, New York at 7:55 p.m. on the 11<sup>th</sup> day of December, 2017, for the purpose of hearing all persons interested in the proposed Local Law No. 10 of the Year 2017; and

BE, IT FURTHER

ORDERED, that the Town Clerk is directed to (a) publish a notice of public hearing in the Akron Bugle, designated by the Town as its official newspaper for this publication, such publication to be not less than five days before the date of the public hearing; (b) post as required by law one copy of the Notice of Public Hearing no later than the day such Notice is published; and ( c) notify by mail all parties of interest pursuant to the General Municipal Law and the Town Law of the Public Hearing, not less than five days before the date of the Public Hearing.

BE, IT FURTHER

ORDERED, that the Town Clerk is to make copies of the proposed "Local Law No. 10 of the Year 2017", entitled "Local Law Establishing the Position of Town Attorney, Deputy Town Attorney and Town Prosecutor with Expanded Residency Requirements " available at her office for inspection and distribution to any interested person during business hours.

The question of the adoption of the foregoing order was duly put to a roll call vote at a regular meeting of the Town Board on November 27, 2017, the results of which were as follows:

Councilman Dugan	Voted _____
Councilman Burke	Voted _____
Councilman Jendrowski	Voted _____
Councilwoman Morlacci	Voted _____
Supervisor Cummings	Voted _____

LEGAL NOTICE  
NOTICE OF PUBLIC HEARING  
TOWN OF NEWSTEAD, NEW YORK

PLEASE TAKE NOTICE, that there has been presented to the Town Board of the Town of Newstead on November 27, 2017, for adoption a proposed Local Law to be known as "Local Law No. 10 of the Year 2017", entitled "Local Law Establishing the Position of Town Attorney, Deputy Town Attorney and Town Prosecutor with Expanded Residency Requirements". The proposed Local Law will establish the position of Town Attorney, Deputy Town Attorney and Town Prosecutor with expanded residency requirements to include all Erie County and all adjoining counties to allow the Town to select from a larger pool of candidates for the positions.

THEREFORE, pursuant to the Municipal Home Rule Law and Local Law No. 10 of the Year 2017 of the Town of Newstead, the Town Board of the Town of Newstead shall hold a Public Hearing on the aforesaid Local Law at the Town Hall, 5 Clarence Center Road, Newstead, New York at 7:55 p.m. on the 11th day of December, 2017, at which time all persons interested may be heard. Copies of the aforesaid proposed Local Law are available at the office of the Town Clerk for inspection and distribution to any interested person during business hours. The meeting room is wheel chair accessible. Those needing special arrangements should call the Town Hall at 542-4573 by December 6, 2017.

Dated: November 27, 2017

BY ORDER OF THE TOWN BOARD  
OF THE TOWN OF NEWSTEAD